IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL No. 154 OF 2004

Daji K. Veerkar .... Appellant

Vs.

Hiraman J. Veerkar ... Respondent

Mr. N. Y. Katkar and Mr. M. A. Patil, advocate for appellant.

Mr. Dilip Bodke, advocate for respondent.

CORAM : Dr. S. RADHAKRISHNAN, J.

DATE : JUNE 20, 2006.

P.C.

. Heard the learned counsel for the appellant and the respondent. In the above appeal, the trial Court had dismissed the suit for partition. The lower appellate Court reversed the same and has held that the plaintiff has one half share in the suit property. The issue of limitation has been considered at paragraph 22 by the lower appellate Court and has rightly observed that since the obstruction was initiated on 30th August 1982, the suit has been filed in time for declaration, injunction and an alternative prayer for partition. Under these circumstances, there is no substantial position of law involved in this appeal. Hence,

appeal is dismissed.

[Dr. S. RADHAKRISHNAN, J.]